

JOINT RULES OF THE TWO HOUSES NOTICE OF CONVENING

1. At the convening of any new session of the Legislature, Regular or Called, each House shall proceed with its own organization and shall give notice to the other House as soon as it is organized and ready to conduct business.

2. Each House shall record in its Journal on the day and at the time of the event the fact: (1) that it gave notice to the other House that it had completed its own organization, and (2) that it received notice from the other House that such other House had completed its organization.

3. Each House shall give notice to the Governor that it has completed its organization and is ready to conduct business, and the fact of such notice shall be recorded in its Journal on the day and at the time of the event.

COMMUNICATIONS BETWEEN THE TWO HOUSES

4. When a message is sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Doorkeeper, and shall be respectfully communicated to the Chair by the person delivering the same. The same ceremony shall be observed when a message is sent from the House of Representatives to the Senate.

5. All messages between the Houses relating to the passage or rejection of any bills, resolution, or other matter shall be on paper and properly addressed to the presiding officer of the House to which the message is sent, and shall be under the signature of the Secretary of the Senate or the Chief Clerk of the House, as the case may be. All such messages shall be printed in full in the Journal of the House receiving same.

6. In the transmission of a bill or resolution from one House to the other, such bill or resolution shall be accompanied by all papers upon which such bill or resolution is founded.

7. When a bill, joint resolution or concurrent resolution has been defeated in the Senate or in the House (or defeated in a committee of either House), the Secretary of the Senate or the

Rule 7.

Chief Clerk of the House, as the case may be, shall immediately notify the other House of the defeat of said bill or resolution and transmit a copy of the caption of such defeated bill or resolution.

JOINT SESSIONS OF THE TWO HOUSES

8. The two Houses may be convened in Joint Session by the passage of a concurrent resolution.

9. In all Joint Sessions, the Senate will meet with the House in the Hall of the House at the hour fixed for such session. The Speaker of the House will preside. The president of the Senate shall take a seat to the right of the Speaker, and the Senators shall take seats in front of the Speaker's desk. The President shall call the Senate to order and ascertain the presence of a quorum. The Speaker shall call the House to order and ascertain the presence of a quorum. The Speaker shall then proceed to lay before the Joint Session whatever matter the Joint Session was convened to consider.

10. When the Joint Session has completed the business for which it was convened, the President shall retire the Senate to its chamber or take such other action as may have been previously authorized by the Senate. The Speaker shall then have the House stand at ease until the Senate retires or take such other action as may have been previously authorized by the House.

ELECTIONS BY JOINT VOTE OF THE TWO HOUSES

11. In all elections by joint vote of the two Houses of the Legislature, the Senate, upon invitation, will meet with the House in its Hall at the agreed hour. The Speaker of the House will preside. The President of the Senate shall take a seat to the right of the Speaker, and the Senators shall take seats in front of the Speaker's desk. The names of the Senators shall then be called alphabetically, after which the names of the Representatives shall be called in like manner, and if a quorum of both Houses answer to their names, the two Houses will proceed with the business for which they have met. The President of the Senate shall first call for nominations by Senators, and the Speaker of the House shall then call for nominations by Representatives. Nominations being made, the names of the Senators shall be called by the Secretary and their votes recorded by him. The names of the Representatives shall then be called by the Clerk, and their votes recorded by him,

and the result shall be handed to and announced by the Speaker. Should a majority be required to elect, and no person receives a majority, the voting shall be repeated until an election is made. After the conclusion of the election for which the two Houses have met in Joint Session, the Senate shall retire to its Chamber, and the result of the joint vote shall be entered in the Journal of each House.

12. If a quorum of either House shall fail to attend a Joint Session, or absent themselves therefrom without the permission of such House, the members of the House so wanting a quorum shall have the right to compel the attendance of the absentees in accordance with its own rules; and, after a reasonable time, if a quorum is not obtained, the Joint Session may be adjourned by the vote of a majority of the members of either House, which vote shall be taken by the presiding officer of either House, on the motion of any one of its members, without debate.

13. If no choice shall have been made on the first ballot or vote, at any time thereafter the Joint Session may be adjourned, with or without naming another day for meeting, by a vote of a majority of either House, on the motion of any one of its members, without debate.

CONSIDERATION OF BILLS

14. When any Senate bill shall be reached upon the calendar or shall be before the Senate for consideration, it shall be the duty of the President to give the place of such bill on the calendar to any House bill which has been referred to and reported from a committee of the Senate, and which is substantially the same as said Senate bill, or to lay such House bill before the Senate to be considered in lieu of such Senate bill.

15. On calendar Wednesday and Thursday only of each week, House bills and House joint resolutions shall be taken up and considered in the Senate until disposed of; and in case a House bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business; provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by a two-thirds vote of the Senate to permit the continued consideration of such pending business.

Rule 16.

16. When any House bill shall be reached upon the calendar or shall be before the House for consideration, it shall be the duty of the Speaker to give the place of such bill on the calendar to any Senate bill which has been referred to and reported from a committee of the House, and which is substantially the same as said House bill, or to lay such Senate bill before the House to be considered in lieu of such House bill.

17. On calendar Wednesday and Thursday only of each week, Senate bills and Senate joint resolutions shall be taken up and considered in the House until disposed of; and in case a Senate bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business; provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by a two-thirds vote of the House to permit the continued consideration of such pending business.

18. No bill shall be considered, unless it has first been referred to a committee and reported thereon, and no bill shall be passed which has not been presented and referred to and reported from a committee at least three days before the final adjournment of the Legislature (Constitution, Article III, Section 37). No vote shall be taken upon the passage of any bill within the last twenty-four hours of the Session, unless it be to correct an error therein.

19. In reckoning the time within which a bill has been introduced, the date of its first introduction in either House shall govern.

APPROPRIATION BILLS

20. There is hereby created the Joint Legislative Committee on State Finance whose membership shall consist of all members of the Senate named by the President to be members of the Senate Finance Committee and all members of the House named by the Speaker to be members of the House Appropriations Committee; provided, however, that not more than twenty-one such members can be named by either House. During each two-year period immediately following an election for President of the United States, the Chairman of the Senate Finance Committee shall be Chairman, and the Chairman of the House Appropriations Committee shall be Vice-Chairman, of the Joint Committee, which position shall be reversed in the subsequent two-year period in such manner that the Chairman of the Joint Committee shall

alternately be a member of the Senate for two years and then a member of the House for two years, with the Vice-Chairman in each instance to be a member of the other House. Neither the Senate Finance Committee nor the House Appropriations Committee shall separately schedule or conduct any hearing with respect to the General Appropriations Bill, but all such hearings shall be scheduled and conducted by the Joint Committee. Such hearings may be conducted by the Joint Committee en banc or by such appropriate subcommittees as the Joint Committee shall determine. If subcommittees are utilized by the Joint Committee, each subcommittee shall consist of an equal number of members from each House. The Chairman of the Joint Committee shall schedule all such hearings, subject to approval by the Joint Committee, and shall provide each member of the Joint Committee with a copy of such schedule in advance of the date the first hearing is scheduled. All such hearings shall be open to the public and press. The Chairman shall conduct the hearings in accordance with acceptable parliamentary procedures, subject to such rules of procedure as the Joint Committee itself may adopt. At the conclusion of such hearings, the Senate Finance Committee shall retire to draft its version of the General Appropriations Bill and the House Appropriations Committee shall retire separately to draft its version of the General Appropriations Bill.

21. In order to assure the continuation of financial support of existing State services through the consideration and passage of the General Appropriations Bill, it shall not be in order during the first 120 days of the regular session for the respective presiding officer to lay before either House of the Legislature, or for either House or any committee thereof, to consider, prior to the consideration, passage and certification by the Comptroller of the General Appropriations Bill, any bill which directly or indirectly:

1. Appropriates money from the State Treasury;
2. Prevents any money from entering the State Treasury;
3. Transfers, diverts or appropriates money in the State Treasury from one fund to another fund except from a special fund into the General Fund; or
4. Requires certification of the Comptroller under Article 3, Section 49a, of the Constitution.

Rule 21.

The provisions of this Rule shall not apply to any bills appropriating money for:

1. The payment of expenses of the Legislature;
2. The payment of judgments against the State; or
3. Any emergency matter when requested by the Governor in a formal message to the Legislature.

The General Appropriations Bill shall be reported to the Senate by its Finance Committee and to the House by its Appropriations Committee not later than the seventieth calendar day of the Regular Session, and should either fail to report by the deadline hereby imposed, this Rule shall be suspended for the balance of that Regular Session.

FORM OF BILLS

22. To enable members of the Legislature to understand more fully and more easily the nature and legal effect of matters under consideration, all bills and resolutions shall conform to the following requirements:

(a) If a bill or resolution proposes to amend an existing portion of the Constitution, a statute, or a legislative rule, the complete text of the existing portion of such Constitution, statute or rule shall be quoted in full.

(b) Language to be added to the existing portion of the Constitution, statute or rule shall be inserted in its appropriate place in the text thereof and shall be underlined.

(c) Language to be deleted from the existing portion of the Constitution, statute or rule shall be typed in its existing form, enclosed in parentheses or brackets, and marked through with a line or series of hyphens, as in the following example: (~~this language is to be deleted~~).

(d) If the language to be added is to replace a part of the existing text, the new language shall precede the existing text which is being replaced.

(e) If a portion of a word is being changed (such as correcting capitalization, spelling or punctuation), the entire word shall be

replaced. Such word shall first be inserted correctly and underlined, followed by the word as it appears in existing text enclosed in parentheses or brackets and marked through, as in the following example: occurrence (~~occurrence~~).

23. If the proposal to amend an existing portion of the Constitution, a statute or a legislative rule involves a complete redraft of the entire text thereof, to the extent that it would confuse rather than clarify to show additions and deletions, the foregoing rule will not apply; however, the presiding officer of the group having such proposal under consideration shall strictly construe the foregoing rule to achieve the purposes thereof.

24. Compliance with the foregoing two rules shall be required at all stages of the legislative process, including the engrossing and enrolling of the bill or resolution.

CONFERENCE COMMITTEES

25. When a bill or resolution passed by one House is amended in the other House, and the originating House fails to concur in the amendments, the disagreement shall be resolved by a motion in the originating House not to concur and to request the appointment of a conference committee. Prompt notice of action on such motion shall be given to the other House and included in such notice shall be the names of those named by the presiding officer of the originating House as members of the conference committee. Upon the receipt of such request for a conference committee, the receiving House shall promptly act thereon by motion to grant or not to grant a conference committee. If the motion to grant prevails, such notice shall include the names of the members of the conference committee named by the presiding officer of the receiving House, whereupon the conference committee shall be officially constituted and authorized to proceed with the business for which it was created.

26. In all conferences between the Senate and the House by committee, the number of committeemen from each House shall be five (5), and all votes on matters of difference shall be taken by each committee separately, and it shall require a majority of each committee to determine the matter in dispute. Reports of conference committees must be signed by a majority of each committee of the conference.

Rule 27.

27. The members of the Conference Committee named by the presiding officer of the originating House shall select one of their number to serve as Chairman of the Conference Committee. The Chairman shall fix a time and place for the Conference Committee to meet and shall give adequate notice thereof to all members of the Conference Committee. The committee shall meet at the appointed hour, confer freely on the matters in disagreement and apply themselves diligently in an effort to reconcile such differences. All meetings of Conference Committees shall be open to the public and press and notice of the time and place of each meeting of the Senate and House Conference Committees on Appropriations and Taxation shall be posted in a convenient and conspicuous place near the entrance of each House at least one hour before each meeting.

28. Conference committees shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. A conference committee shall have no authority with respect to any bill or resolution:

1. To change, alter, or amend text which is not in disagreement;
2. To omit text which is not in disagreement;
3. To add text on any matter which is not in disagreement;
4. To add text on any matter which is not included in either the House or Senate version of the bill or resolution.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

29. Conference committees on appropriations bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on appropriations bills shall be strictly limited in its authority as follows:

1. If an item of appropriation appears in both House and Senate versions of the bill, such item must be included in the Conference Report.

2. If an item of appropriation appears in both House and Senate versions of the bill, and in identical amounts, no change can be made in such item or the amount thereof.

3. If an item of appropriation appears in both House and Senate versions of the bill but in different amounts, no change can be made in the item, but the amount thereof shall be at the discretion of the Conference Committee, provided that such amount shall not exceed the larger version and shall not be less than the smaller version.

4. If an item of appropriation appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the Conference Committee. If the item is included, the amount thereof shall not exceed the sum specified in the version containing such item.

5. If an item of appropriation appears in neither the House nor the Senate version of the bill, such item must not be included in the Conference Report.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

30. Conference committees on tax bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two Houses. In addition to the limitations contained elsewhere in these rules, a conference committee on a tax bill shall be strictly limited in its authority as follows:

1. If a tax item appears in both House and Senate versions of the bill, such item must be included in the Conference Report.

2. If a tax item appears in both House and Senate versions of the bill, and in identical form and with identical rates, no change can be made in such item or the rate therein provided.

3. If a tax item appears in both House and Senate versions of the bill but at differing rates, no change can be made in the item, but the rate thereof shall be at the discretion of the Conference Committee, provided that such rate shall not exceed the higher version and shall be not less than the lower version.

Rule 30.

4. If a tax item appears in one version of the bill and not in the other, such item can be included or omitted at the discretion of the Conference Committee. If the item is included, the rate thereof shall not exceed the rate specified in the version containing such item.

5. If a tax item appears in neither the House nor the Senate version of the bill, such item must not be included in the Conference Report.

This rule shall be strictly construed by the presiding officer in each House to achieve the purposes hereof.

31. Conference committees on reapportionment bills, to the extent possible, shall limit their discussions and their actions to the matters in disagreement between the two Houses. Since the adjustment of one district in a reapportionment bill will inevitably affect other districts therein, the strict rule of construction imposed on other conference committees must be relaxed somewhat when reapportionment bills are involved. Accordingly, the following authority and limitations shall apply only to conference committees on reapportionment bills:

1. If the matters in disagreement affect only certain districts, and other districts are identical in both House and Senate versions of the bill, the Conference Committee shall make adjustments only in those districts whose rearrangement is essential to the effective resolving of the matters in disagreement. All other districts shall remain unchanged.

2. If the matters in disagreement permeate the entire bill and affect most, if not all, of the districts therein, the Conference Committee shall have wide discretion in rearranging the districts to the extent necessary to resolve all differences between the two Houses.

3. Insofar as the actual structure of the districts is concerned, and only to that extent, the provisions of Joint Rule 28 shall not apply to conference committees on reapportionment bills.

32. Conference committees on recodification bills, like other conference committees, shall limit their discussions and their actions solely to the matters in disagreement between the two

Houses. The comprehensive and complicated nature of recodification bills makes necessary the relaxing of the strict rule of construction imposed on other conference committees only to the following extent:

1. If it develops in conference committee that material has been inadvertently included in both House and Senate versions which properly has no place in such recodification, such material may be omitted from the Conference Report, if by such omission the existing statute thereon is not repealed, altered or amended.

2. If it develops in conference committee that material has been inadvertently omitted from both the House and Senate versions which properly should be included if such recodification is to achieve its purpose of being all-inclusive of the statutes being recodified, such material may be added to the Conference Report, if by such addition the existing statute is merely restated without substantive change in existing law.

33. Limitations imposed on certain conference committees by the provisions of Joint Rules 28, 29, 30, 31 and 32 may be suspended in part, by permission of both Houses, to enable consideration of and action on a specific matter or matters which otherwise would be in violation thereof. Such permission shall be granted only by concurrent resolutions passed by majority vote in each House, with yeas and nays thereon to be recorded in the Journals of the respective Houses. Such concurrent resolution shall specify in detail: (1) the exact nature of the matter or matters proposed to be considered, (2) the specific limitation or limitations to be suspended thereby, (3) the specific action contemplated by the Conference Committee thereon, and (4) the reasons why suspension of such limitations is being requested. Permission thus granted shall suspend such limitations only for the matter or matters clearly specified in the resolution, and action of the Conference Committee shall be in conformity therewith.

34. All conference committee reports on the General Appropriations Bill, tax bills, reapportionment bills, and recodification bills must be reproduced and a copy thereof furnished to each member at least forty-eight hours before any action thereon can be taken by either House, if convened in Regular Session, or twenty-four hours if convened in a Called Session.

Rule 35.

35. All conference committee reports on bills other than the General Appropriations Bill, and tax, reapportionment and recodification bills must be reproduced and a copy thereof furnished to each member at least twenty-four hours before any action thereon can be taken by either House; provided, however, that the twenty-four hour delay on action by either House, as herein provided, shall not apply during the last forty-eight hours of any session.

36. Each conference committee report, regardless of its subject matter, must have attached thereto a section by section analysis showing the disagreements which have been resolved by the conference committee. This analysis must show, for each and every disagreement, in parallel columns: (1) the substance of the House version, (2) the substance of the Senate version, and (3) the substance of the recommendation thereon by the conference committee. No action shall be taken by either House on any conference committee report in the absence of such an analysis except by an affirmative vote of two-thirds of the members present, with the yeas and nays thereon to be recorded in the Journal of such House.

37. The presiding officer of each House shall rule out of order any conference committee report made or which is in violation of any of the provisions and limitations contained in the Joint Rules.

38. Each conference committee report, regardless of its subject matter, shall be printed only once in the Journal, such printing to be determined as follows: (1) if the conference committee report involves a House bill, such report shall be printed in the House Journal and not in the Senate Journal; and (2) if the conference committee report involves a Senate bill, such report shall be printed in the Senate Journal and not in the House Journal.

ENROLLING AND SIGNING BILLS

39. After a bill shall have passed both Houses, it shall be duly enrolled including all proper endorsements, following which it shall be examined by the Joint Legislative Committee on Administration, hereinafter created. The Joint Committee shall carefully compare the enrolled bill with the drafts of such bill as passed by the respective Houses, correct any and all errors made in the enrollment thereof, and report thereon to the respective

Houses. Such report shall be accompanied by a copy of the bill and shall, except for local bills, be printed in the Journal of the House in which such bill originated.

40. There is hereby created the Joint Legislative Committee on Administration whose membership shall consist of five Members of the Senate named by the President who are also members of the Senate Administration Committee and five Members of the House named by the Speaker who are also members of the House Administration Committee. During each two-year period beginning in January immediately following an election for President of the United States, the Chairman of the House Administration Committee shall be Chairman, and the Chairman of the Senate Administration Committee shall be Vice-Chairman of the Joint Committee, which positions shall be reversed in the subsequent two-year period in such manner that the Chairman of the Joint Committee shall alternately be a Member of the Senate for two years and then a Member of the House for two years, with the Vice-Chairman in each instance to be a member of the other House. The Joint Committee shall conduct studies of various phases of legislative administration, such as printing, enrolling and engrossing, and status reporting, to determine the feasibility of joint operation of such facilities, and shall report thereon to the respective Houses from time to time as the occasion warrants. Should joint operation of any facility be provided by the two Houses, such facility shall be under the supervision and control of the Joint Committee. It is further provided that the Joint Committee shall in no way interfere with the operation of the offices or staffs of individual Senators and Members of the House of Representatives.

41. If a joint facility for the enrollment of bills is provided, it shall be the duty of such facility to enroll in accurate and correct form all bills or resolutions passed by both Houses, as well as any resolution passed by a single House which is subject to being enrolled, under such rules and regulations as may be promulgated by the Joint Committee. In the absence of such joint facility, it shall be the duty of the Enrolling and Engrossing Clerk of the House to enroll all bills and resolutions which originate in the House and the duty of the Enrolling and Engrossing Clerk of the Senate to enroll all bills and resolutions which originate in the Senate.

Rule 42.

42. After examination and report, each bill shall be signed in the respective Houses, first by the presiding officer of the House in which the bill originated and then by the presiding officer of the other house, in accordance with Article 8, Section 38, of the Texas Constitution.

43. After a bill shall have been signed in each House, it shall be presented by the Joint Committee to the Governor for his consideration and action. The Joint Committee shall report the day of presentation to the Governor, which event and date thereof shall be entered in the Journal of the House in which the bill originated.

44. Unless and until a joint facility for the enrollment of bills is provided, the duties and responsibilities herein imposed on the Joint Committee shall be exercised and performed by the Senate Committee on Enrolled and Engrossed Bills in the case of bills originating in the Senate, and by the House Committee on Enrolled and Engrossed Bills in the case of bills originating in the House.

45. All orders, resolutions and votes which are to be presented to the Governor for his approbation shall also be enrolled, examined and signed in the same manner as bills, and shall be presented in the same manner and by the same committee as provided in the case of bills.

ADJOURNMENTS

46. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that where the Legislature may be sitting (Constitution, Article 3, Section 17).

47. Consent for the adjournment of either or both Houses for more than three days shall be evidenced by a concurrent resolution passed by a majority vote in both Houses prior to the time such period of adjournment shall begin.

48. Each session of the Legislature shall adjourn sine die at the time fixed therefor by the Constitution of Texas unless an earlier date or time shall be determined by concurrent resolution passed by a majority vote in both Houses, in which event the date and time fixed by such resolution shall govern.

49. When the time arrives for sine die adjournment, each House shall give notice to the other that it has completed its labors and stands ready to adjourn sine die, and the fact of such notice shall be recorded in the Journals of the respective Houses.

50. When the time arrives for sine die adjournment, each House shall give notice to the Governor that it has completed its labors and stands ready to adjourn sine die, and the fact of such notice shall be recorded in the Journals of the respective Houses.

SUSPENDING THE JOINT RULES

51. Except as otherwise provided herein, no provision contained in the Joint Rules shall be suspended except by concurrent resolution passed by both Houses by a two-thirds vote of the members present and voting in each House, with the yeas and nays on each such vote to be recorded in the Journals of the respective Houses.

NEWS MEDIA

52. (a) When the Senate or House is in session, no news media representative shall be admitted to the Floor of either House or allowed its privileges as a correspondent unless he has been accredited by the Standing Committee of Correspondents, elected by the Texas Capitol Correspondents Association, which shall be open to all media representatives assigned to the Capitol.

(b) Media facilities and parking spaces to be made available for news media representatives shall be assigned to the Texas Capitol Correspondents Association.

(c) A representative of the Texas Capitol Correspondents Association shall negotiate with the Chairman of the House Administration Committee and the Chairman of the Senate Administration Committee for press pass cards, parking spaces, and facilities.

(d) No newspaper reporter, or other person whomsoever, whether a state officer or not, who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be permitted upon the Floor of either House when in session.